



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB1315**

Introduced 2/9/2005, by Rep. Charles E. Jefferson

**SYNOPSIS AS INTRODUCED:**

10 ILCS 5/4-16	from Ch. 46, par. 4-16
10 ILCS 5/5-23	from Ch. 46, par. 5-23
10 ILCS 5/6-53	from Ch. 46, par. 6-53
10 ILCS 5/17-14	from Ch. 46, par. 17-14

Amends the Election Code. Authorizes election authorities to use obituaries to obtain information for purposes of purging voter registration records. Makes changes in the large county and board of election commissioners Articles to conform to procedures in the smaller county Article with respect to purging. Removes the requirement that a physically disabled voter seeking assistance marking the ballot must state whether his or her disability is permanent.

LRB094 07318 JAM 37476 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing  
5 Sections 4-16, 5-23, 6-53, and 17-14 as follows:

6 (10 ILCS 5/4-16) (from Ch. 46, par. 4-16)

7 Sec. 4-16. Any registered voter who changes his residence  
8 from one address to another within the same county wherein this  
9 Article is in effect, may have his registration transferred to  
10 his new address by making and signing an application for change  
11 of residence address upon a form to be provided by the county  
12 clerk. Such application must be made to the office of the  
13 county clerk and may be made either in person or by mail. In  
14 case the person is unable to sign his name, the county clerk  
15 shall require him to execute the application in the presence of  
16 the county clerk or of his properly authorized representative,  
17 by his mark, and if satisfied of the identity of the person,  
18 the county clerk shall make the transfer.

19 Upon receipt of the application, the county clerk, or one  
20 of his employees deputized to take registrations shall cause  
21 the signature of the voter and the data appearing upon the  
22 application to be compared with the signature and data on the  
23 registration record card, and if it appears that the applicant  
24 is the same person as the person previously registered under  
25 that name the transfer shall be made.

26 No transfers of registration under the provisions of this  
27 Section shall be made during the 27 days preceding any election  
28 at which such voter would be entitled to vote. When a removal  
29 of a registered voter takes place from one address to another  
30 within the same precinct within a period during which a  
31 transfer of registration cannot be made before any election or  
32 primary, he shall be entitled to vote upon presenting the

1 judges of election his affidavit substantially in the form  
2 prescribed in Section 17-10 of this Act of a change of  
3 residence address within the precinct on a date therein  
4 specified.

5 The county clerk may obtain information from utility  
6 companies, city, village, incorporated town and township  
7 records, the post office, published obituary notices, or from  
8 other sources, regarding the removal of registered voters, and  
9 may treat such information, and information procured from his  
10 death and marriage records on file in his office, as an  
11 application to erase from the register any name concerning  
12 which he may so have information that the voter is no longer  
13 qualified to vote under the name, or from the address from  
14 which registered, and give notice thereof in the manner  
15 provided by Section 4--12 of this Article, and notify voters  
16 who have changed their address that a transfer of registration  
17 may be made in the manner provided in this Section enclosing a  
18 form therefor.

19 If any person be registered by error in a precinct other  
20 than that in which he resides, the county clerk may transfer  
21 his registration to the proper precinct, and if the error is or  
22 may be on the part of the registration officials, and is  
23 disclosed too late before an election or primary to mail the  
24 certificate required by Section 4--15, such certificate may be  
25 personally delivered to the voter and he may vote thereon as  
26 therein provided, but such certificates so issued shall be  
27 specially listed with the reason for the issuance thereof.

28 Where a revision or rearrangement of precincts is made by  
29 the county board, the county clerk shall immediately transfer  
30 to the proper precinct the registration of any voter affected  
31 by such revision or rearrangement of the precinct; make the  
32 proper notations on the registration cards of a voter affected  
33 by the revision or rearrangement and shall issue revised  
34 certificates to each registrant of such change.

35 Any registered voter who changes his or her name by  
36 marriage or otherwise shall be required to register anew and

1 authorize the cancellation of the previous registration; but if  
2 the voter still resides in the same precinct and if the change  
3 of name takes place within a period during which a transfer of  
4 registration cannot be made, preceding any election or primary,  
5 the elector may, if otherwise qualified, vote upon making an  
6 affidavit substantially in the form prescribed in Section 17-10  
7 of this Act.

8 The precinct election officials shall report to the county  
9 clerk the names and addresses of all persons who have changed  
10 their addresses and voted, which shall be treated as an  
11 application to change address accordingly, and the names and  
12 addresses of all persons otherwise voting by affidavit as in  
13 this Section provided, which shall be treated as an application  
14 to erase under Section 4--12 hereof.

15 (Source: P.A. 92-816, eff. 8-21-02.)

16 (10 ILCS 5/5-23) (from Ch. 46, par. 5-23)

17 Sec. 5-23. Any registered voter who changes his residence  
18 from one address, number or place to another within the same  
19 county wherein this article 5 is in effect, may have his  
20 registration transferred to his new address by making and  
21 signing an application for such change of residence upon a form  
22 to be provided by the county clerk. Such application must be  
23 made to the office of the county clerk. In case the person is  
24 unable to sign his name the county clerk shall require such  
25 person to execute the request in the presence of the county  
26 clerk or of his properly authorized representative, by his  
27 mark, and if satisfied of the identity of the person, the  
28 county clerk shall make the transfer.

29 Upon receipt of such application, the county clerk, or one  
30 of his employees deputized to take registrations shall cause  
31 the signature of the voter and the data appearing upon the  
32 application to be compared with the signature and data on the  
33 registration record, and if it appears that the applicant is  
34 the same person as the party previously registered under that  
35 name the transfer shall be made.



1 companies, city, village, town and incorporated town records,  
2 the post office, published obituary notices, or from other  
3 sources regarding the removal of registered voters and may  
4 treat such information, and information procured from his or  
5 her death and marriage records on file in his or her office, as  
6 an application to erase from the register any name concerning  
7 which the county clerk may have information that the voter is  
8 no longer qualified to vote under the name, or from the address  
9 from which registered, and give notice thereof in the manner  
10 provided by Section 5-15 of this Article, and notify such  
11 voters who have changed their addresses that a transfer of  
12 registration may be made in the manner provided by this  
13 section.

14 If any person be registered by error in a precinct other  
15 than that in which he resides the county clerk shall be  
16 empowered to transfer his registration to the proper precinct.

17 Where a revision or rearrangement of precincts is made by  
18 the board of county commissioners, the county clerk shall  
19 immediately transfer to the proper precinct the registration of  
20 any voter affected by such revision or rearrangement of the  
21 precincts; make the proper notations on the registration cards  
22 of a voter affected by the revision of registration and shall  
23 notify the registrant of such change.

24 (Source: P.A. 80-1469.)

25 (10 ILCS 5/6-53) (from Ch. 46, par. 6-53)

26 Sec. 6-53. Any registered elector who changes his residence  
27 from one address number or place to another within the same  
28 precinct, city or village or incorporated town, may have his  
29 registration transferred to his new address by making and  
30 signing an application for such change of residence address  
31 upon a form to be provided by such board of election  
32 commissioners. Such application may be made to the office of  
33 such board or at any place designated in accordance with  
34 section 6--51 of this Article.

35 Upon receipt of such application the board of election

1 commissioners or officer, employee or deputy registrar  
2 designated by such board shall cause the signature of the voter  
3 and the data appearing upon the application to be compared with  
4 the signature and data on the registration record, and if it  
5 appears that the applicant is the same person as the party  
6 previously registered under that name, the transfer shall be  
7 made. In case the person is unable to sign his name the board  
8 of election commissioners shall require such person to execute  
9 the request in the presence of the board or of its properly  
10 authorized representative, by his mark, and if satisfied of the  
11 identity of the person, the board of election commissioners  
12 shall make the transfer. The person in charge of the  
13 registration shall draw a line through the last address, ward  
14 and precinct number on the original and duplicate and write the  
15 new address, ward and precinct number on the original and  
16 duplicate registration records.

17 Any registered elector may transfer his registration only  
18 at any such time as is provided by this Article for the  
19 registration of voters at the office of the board. When a  
20 removal of a registered voter takes place from one address to  
21 another within the same precinct within a period during which  
22 such transfer of registration cannot be made, before any  
23 election or primary, he shall be entitled to vote upon  
24 presenting to the judges of election an affidavit of a change  
25 and having said affidavit supported by the affidavit of a  
26 qualified voter who is a householder in the same precinct.  
27 Suitable forms for this purpose shall be provided by the board  
28 of election commissioners whose duty it is to conduct the  
29 election; and thereupon the precinct election officials shall  
30 report to the board of election commissioners the names of all  
31 such persons who have changed their address and voted.

32 The board of election commissioners may obtain information  
33 from utility companies, city records, the post office,  
34 published obituary notices, or from other sources regarding the  
35 removal of registered voters, and may treat such information as  
36 an application to erase from the register any name concerning

1 which the board may have information that the voter is no  
2 longer qualified to vote under the name, or from the address  
3 from which registered, and give notice thereof in the manner  
4 provided by Section 6-44 of this Article, and notify such  
5 voters who have changed their addresses that a transfer of  
6 registration may be made in the manner provided by this  
7 section.

8 If any person be registered by error in a precinct other  
9 than that in which he resides, a transfer of registration to  
10 the precinct in which he resides may be made in the manner  
11 provided by this section.

12 Where a revision or rearrangement of precincts is made by  
13 the board of election commissioners under the power conferred  
14 by Section 11--3 of Article 11 of this Act, such board shall  
15 immediately transfer to the proper precinct the registration of  
16 any voter affected by such revision or rearrangement of  
17 precincts; make the proper notations on the cards in the master  
18 and precinct files; and shall notify the registrant of such  
19 change.

20 (Source: Laws 1967, p. 3449.)

21 (10 ILCS 5/17-14) (from Ch. 46, par. 17-14)

22 Sec. 17-14. Any voter who declares upon oath, properly  
23 witnessed and with his or her signature or mark affixed, that  
24 he or she requires assistance to vote by reason of blindness,  
25 physical disability or inability to read, write or speak the  
26 English language shall, upon request, be assisted in marking  
27 his or her ballot, by 2 judges of election of different  
28 political parties, to be selected by all judges of election of  
29 each precinct at the opening of the polls or by a person of the  
30 voter's choice, other than the voter's employer or agent of  
31 that employer or officer or agent of the voter's union. A voter  
32 who presents an Illinois Disabled Person Identification Card,  
33 issued to that person under the provisions of the Illinois  
34 Identification Card Act, indicating that such voter has a Class  
35 1A or Class 2 disability under the provisions of Section 4A of



1 the Illinois Identification Card Act, or a voter who declares  
2 upon oath, properly witnessed, that by reason of any physical  
3 disability he is unable to mark his ballot shall, upon request,  
4 be assisted in marking his ballot by 2 of the election officers  
5 of different parties as provided above in this Section or by a  
6 person of the voter's choice other than the voter's employer or  
7 agent of that employer or officer or agent of the voter's  
8 union. Such voter shall state specifically the reason why he  
9 cannot vote without assistance and, in the case of a physically  
10 disabled voter, what his physical disability is ~~and whether or~~  
11 ~~not the disability is permanent~~. Prior to entering the voting  
12 booth, the person providing the assistance, if other than 2  
13 judges of election, shall be presented with written  
14 instructions on how assistance shall be provided. This  
15 instruction shall be prescribed by the State Board of Elections  
16 and shall include the penalties for attempting to influence the  
17 voter's choice of candidates, party, or votes in relation to  
18 any question on the ballot and for not marking the ballot as  
19 directed by the voter. Additionally, the person providing the  
20 assistance shall sign an oath, swearing not to influence the  
21 voter's choice of candidates, party, or votes in relation to  
22 any question on the ballot and to cast the ballot as directed  
23 by the voter. The oath shall be prescribed by the State Board  
24 of Elections and shall include the penalty for violating this  
25 Section. In the voting booth, such person shall mark the ballot  
26 as directed by the voter, and shall thereafter give no  
27 information regarding the same. The judges of election shall  
28 enter upon the poll lists or official poll record after the  
29 name of any elector who received such assistance in marking his  
30 ballot a memorandum of the fact and if the disability is  
31 permanent. Intoxication shall not be regarded as a physical  
32 disability, and no intoxicated person shall be entitled to  
33 assistance in marking his ballot.

34 No person shall secure or attempt to secure assistance in  
35 voting who is not blind, physically disabled or illiterate as  
36 herein provided, nor shall any person knowingly assist a voter

1 in voting contrary to the provisions of this Section.

2 (Source: P.A. 90-101, eff. 7-11-97.)